

ABX-CBL/CD147-6ON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 20 2001
TECH CENTER 1600/2900

Examiner : Not yet assigned
Group Art Unit : 1641
Applicants : Davis et al.
Application No. : 09/784,950 Confirmation No.:6648
Filed : February 15, 2001
For : CD147 BINDING MOLECULES AS THERAPEUTICS

Hon. Commissioner
for Patents
Washington, D.C. 20231

New York, New York
July 24, 2001

TRANSMITTAL LETTER

Sir:

Transmitted herewith: [X] Reply to Notice to File Missing Parts of Application; [X] copy of Notice to File Missing Parts of Application; [X] Executed Oath or Declaration and Power of Attorney; [X] Abstract; [X] copy of Statement in Support of the Computer Readable Form Submission Under 37 C.F.R. § 1.821(b) submitted with International patent application PCT/US99/04583; [X] copy of stamped post-card submitted with said Statement; to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.

[] A fee for additional claims is required.

The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	* =	X \$ 18 =	\$
INDEPENDENT CLAIMS	-	** =	X \$ 80 =	\$
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$270 =	\$
* If less than 20, insert 20.				TOTAL <u>\$</u>

** If less than 3, insert 3.

[] A check in the amount of \$_____ in payment of the filing fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[] Please charge \$_____ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

ADDITIONAL FEE

[X] A check in the amount of \$130.00 in payment of the surcharge for filing Missing Parts of Application.

EXTENSION FEE

[X] The following extension is applicable to the Response filed herewith; [X] \$110.00 extension fee for response

within first month pursuant to 37 C.F.R. § 1.136(a);
[] \$390.00 extension fee for response within second
month pursuant to 37 C.F.R. § 1.136(a); [] \$890.00
extension fee for response within third month pursuant to
37 C.F.R. § 1.136(a); [] \$1,390.00 extension fee for
response within fourth month pursuant to 37 C.F.R.
§ 1.136(a); \$1,890.00 within fifth month pursuant to
37 C.F.R. § 1.136(a).

[X] A check in the amount of [X] \$110.00; [] \$390.00;
[] \$890.00; [] \$1,390.00; [] \$1,890.00 in payment
of the extension fee is transmitted herewith.

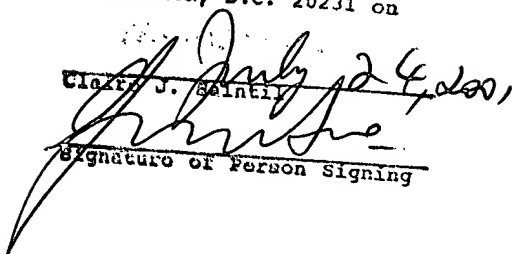
[X] The Director is hereby authorized to charge payment
of any additional fees required under 37 C.F.R. §
1.17 in connection with the paper(s) transmitted
herewith, or to credit any overpayment of same, to
Deposit Account No. 06-1075. A duplicate copy of
this transmittal letter is transmitted herewith.

[] Please charge the [] \$110.00; [] \$390.00;
[] \$890.00; [] \$1,390.00; [] \$1,890.00; extension
fee to Deposit Account No. 06-1075. A duplicate
copy of this transmittal letter is transmitted
herewith.



Jane T. Gunnison (Reg. No. 38,479)
Gloria M. Fuentes (Reg. No. 47,580)
Attorneys for Applicants
c/o FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1104
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I Hereby Certify that this
Correspondence is being
Deposited with the U.S.
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Addressed to: ASSISTANT
COMMISSIONER FOR
PATENTS,
WASHINGTON, D.C. 20231 on


Claire J. Saint

Signature of Person Signing



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TECH CENTER 1641/2900

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Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

This is in response to an April 24, 2001 Notice To File Missing Parts of Non-provisional Application (copy enclosed). Applicants have filed a Petition concurrently herewith for a one-month extension of the time for responding to that Notice, from June 24, 2001 up to and including July 24, 2001, and have paid the required fee under 37 C.F.R. §§ 1.136(a) and 1.17(a) (1).

06/01/2001 ANWHDHF1 00000122 09784930

01 FC:103

130.00 00

The Notice To File Missing Parts states that the oath or declaration is unsigned; that there is a \$130.00 outstanding surcharge; that an abstract was not provided for the application; and that the application does not contain a

POST AVAILABLE COPY

statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing, and where applicable, includes no new matter.

To satisfy the requirements of the Notice, applicants enclose: (1) a Declaration and Power of Attorney signed by the inventors in compliance with 37 C.F.R. § 1.63; (2) a check for \$130.00 in payment of the outstanding surcharge; (3) an abstract for this application; and (4) a copy of the Statement in Support of the Computer Readable Form Submission Under 37 C.F.R. § 1.821(b) originally submitted with International patent application PCT/US99/04583.

This application is a continuation of International patent application PCT/US99/04583. Applicants filed a Sequence Listing, a Sequence Listing Diskette and a Statement in Support of the Computer Readable Form Submission Under 37 C.F.R. § 1.821(b) in the International Application. Applicants believe that they do not need to submit another Statement in Support of the Computer Readable Form Submission Under 37 C.F.R. § 1.821(b). Therefore, applicants are enclosing a copy of the Statement in Support of the Computer Readable Form Submission Under 37 C.F.R. § 1.821(b) that was originally submitted with International patent application PCT/US99/04583, and a copy of the postcard showing that the Statement was received by the Patent Office.

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The Director is hereby authorized to charge any fee due, or to credit any overpayment, in connection with this submission to Deposit Account No. 06-1075. A duplicate of this paper is enclosed.

Respectfully submitted,



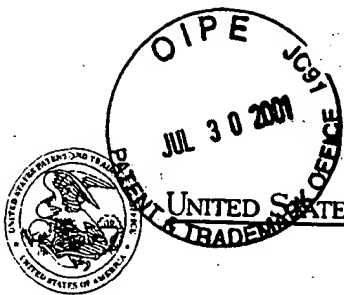
Jane T. Gunnison (Reg. No. 38,479)
Gloria M. Fuentes (Reg. No. 47,580)
Attorneys for Applicants
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I hereby certify that this
correspondence is being
deposited with the U.S.
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COMMISSIONER FOR
PATENTS
WASHINGTON, D.C. 20231

July 24, 2001
Claire M. Smith

[Signature]
Signature of Person Signing

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/784,950	02/15/2001	C. Geoffrey Davis	ABX/CD147CON

1473
FISH & NEAVE
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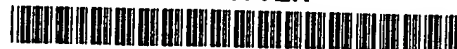
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MAY 03 2001

FISH & NEAVE - PATENT DEPT.
REFERRED TO GMM
NOTED BY JFO

CONFIRMATION NO. 6648

FORMALITIES LETTER



OC00000006001257

Date Mailed: 04/24/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted **DOCKETED FOR**6/24/01

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

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- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

H-2

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY